



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY
July 23, 2001**

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01-17

DS:ds

The meeting was called to order at 9:40 a.m., with all Members being present, with the exception of Supervisor McConnell, and with Chairman Hanley presiding.

Supervisor McConnell arrived at 9:45 a.m.

Others present were Anthony H. Griffin, County Executive; David P. Bobzien, County Attorney; Catherine A. Chianese, Assistant to the County Executive; Christina M. Manning, Assistant to the County Executive; Nancy Vehrs, Clerk to the Board of Supervisors; and Patti M. Hicks, Deputy Clerk to the Board of Supervisors.

BOARD MATTER

1. **MOMENT OF SILENCE** (Tape 1)

Chairman Hanley asked everyone to remember the contributions that the late Katharine Graham made through her guidance in *The Washington Post*, and her role as publisher. Chairman Hanley said that from many perspectives she was an incredible role model for an enormous number of women in the region, and across the country.

AGENDA ITEMS

2. **CERTIFICATE OF RECOGNITION PRESENTED TO THE MEN'S
FIREFIGHTER COMBAT CHALLENGE TEAM** (Tape 1)

Supervisor Connolly moved approval of the Certificate of Recognition presented to the members of the Men's Firefighter Combat Challenge Team for their

achievement in winning the challenge course. Supervisor Gross seconded the motion and it carried by unanimous vote.

3. **CERTIFICATE OF RECOGNITION PRESENTED TO FAIRFAX LEADERSHIP AND RESILIENCY PROGRAM** (Tape 1)

Supervisor Frey moved approval of the Certificate of Recognition presented to representatives of the Fairfax Leadership and Resiliency Program, sponsored by Alcohol and Drug Services, for their fine work. Supervisor Hudgins seconded the motion and it carried by unanimous vote.

4. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. BONNIE HUDSON** (Tape 1)

Supervisor Bulova moved approval of the Certificate of Recognition presented to Bonnie Hudson, conductor of the American Youth String Ensemble, upon her tenth anniversary with American Youth Philharmonic Orchestras. Supervisor Connolly seconded the motion and it carried by unanimous vote.

5. **ADMIN 17 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 7 (CENTRAL ABSENTEE VOTER ELECTION DISTRICT), TO CONSIDER TWO ORDINANCES RELATING TO ELECTION PRECINCTS** (Tape 1)

Chairman Hanley called the Board's attention to Admin 17 and asked all Board Members who have changes to be sure they read them carefully, because there may be typographical errors and issues of concern.

(NOTE: Later in the meeting action was taken on this item. See pages 13 and 18.)

AGENDA ITEMS

6. **RESOLUTION OF RECOGNITION PRESENTED TO MR. CARL BIANCHI** (Tape 1)

Supervisor Bulova moved approval of the Resolution of Recognition presented to Mr. Carl Bianchi upon his tenth anniversary as conductor of the American Youth Philharmonic Orchestras and the artistic contribution he brings to Fairfax County. Chairman Hanley seconded the motion and it carried by unanimous vote.

7. **CERTIFICATE OF RECOGNITION PRESENTED TO THE FRIENDS OF NOTTOWAY PARK, CITIZEN VOLUNTEERS, CORPORATE AND COMMUNITY SPONSORS, AND THE PARK AUTHORITY** (Tape 1)

Supervisor Connolly moved approval of the Certificate of Recognition presented to:

- Citizen volunteers and County staff who made it possible for diligent effort, creative thought, and outstanding commitment resulting in the free summer festival at Nottoway Park.
- The Friends of Nottoway Park, corporate and community sponsors, for their sponsorship resulting in the successful Nottoway Nights program.

Chairman Hanley seconded the motion and it carried by unanimous vote.

ADDITIONAL BOARD MATTER

8. **INTRODUCTION OF NEW INTERN FROM THE OFFICE OF PUBLIC AFFAIRS** (Tape 1)

Chairman Hanley introduced Nada Malik, a new intern in the Office of Public Affairs. Chairman Hanley and the Board warmly welcomed her to the Board Auditorium.

9. **CERTIFICATE OF RECOGNITION PRESENTED TO MASTER POLICE OFFICER JOSH BROWN** (Tape 1)

This Certificate of Recognition will be given at a later date.

AGENDA ITEMS

10. **CERTIFICATE OF RECOGNITION PRESENTED TO DEPUTY JULIE JENKINS, CAPTAIN MAGGIE DEBOARD, PRIVATE FIRST CLASS TRACY CAMPAGNA, AND DETECTIVE MARK HARRINGTON** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Certificate of Recognition presented to Deputy Julie Jenkins, Captain Maggie DeBoard, Private First Class Tracy Campagna, and Detective Mark Harrington for their achievements in the Top Cop Fitness Challenge. Vice-Chairman Hyland seconded the motion and it carried by unanimous vote.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

11. **10 A.M. – REPORT BY THE CHARACTER COUNTS! TASK FORCE**
(Tape 1)

(BACs) Mark Emery, Chairman, Character Counts! Task Force presented its final report with recommendations for making Fairfax County a community where positive character counts.

Discussion ensued with input from Chuck Veatch, member of the Character Counts! Task Force. Mr. Veatch said that anyone wishing to obtain information regarding the Character Counts! sports program should visit its website at www.charactercounts.org.

Supervisor Gross called the Board's attention to the card handout from the Task Force regarding ways to identify and make available information on best practices through the establishment of a newsletter or some other form of communication to all segments of the community to assist organizations in the community seeking to establish character and ethics programs.

Following discussion, with input from Mr. Emery, Supervisor Gross moved that the Board direct the County Executive to ensure that the appropriate information is made available through the County's website and communications. Supervisor Mendelsohn seconded the motion and it carried by unanimous vote.

Supervisor Bulova called the Board's attention to the fourth bullet of the Task Force's recommendations and moved that the Board refer the Task Force's summary and recommendations to staff for review and return with specific recommendations on how the County can continue this work, with the understanding that the Task Force would continue as the overseer. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn being out of the room.

NV:nv

12. **10:30 A.M. - APPOINTMENTS TO CITIZENS BOARDS, AUTHORITIES, COMMISSIONS AND ADVISORY GROUPS** (Tape 2)

(APPTS)

(BACs)

ADVISORY SOCIAL SERVICES BOARD

Supervisor Bulova moved the re-appointment of Ms. Dianne Jinwright as the Braddock District Representative to the Advisory Social Services Board. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Mendelsohn moved the re-appointment of Ms. Rosemary Ryan as the Dranesville District Representative to the Advisory Social Services Board. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Connolly moved the re-appointment of Ms. Thelma Petrilak as the Providence District Representative to the Advisory Social Services Board. Supervisor Hyland seconded the motion, which carried by unanimous vote.

AIRPORTS ADVISORY COMMITTEE

The Board deferred the appointment of the Springfield District Representative to the Airports Advisory Committee.

ARCHITECTURAL REVIEW BOARD

Supervisor Frey moved the re-appointment of Mr. Mark Lewis as the At-Large Landscape Architect Representative to the Architectural Review Board. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Hyland moved the re-appointment of Mr. Charles Bierce as the At-Large Architect or Landscape Architect Representative to the Architectural Review Board. Supervisor Kauffman seconded the motion, which carried by unanimous vote.

Chairman Hanley moved the re-appointment of Mr. John Burns as the At-Large Architect to the Architectural Review Board. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Mendelsohn moved the re-appointment of Mr. John Boland as the At-Large Attorney Representative to the Architectural Review Board. Supervisor Connolly seconded the motion, which carried by unanimous vote.

ATHLETIC COUNCIL

Chairman Hanley moved the appointment of Ms. Sally Entlich as the At-Large Fairfax Women's Sports Association (Principal) Representative to the Athletic Council. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Hudgins moved the appointment of Ms. Victoria Bryant-Hall as the At-Large Fairfax Women's Sports Association (Alternate) Representative to the Athletic Council. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Connolly moved the re-appointment of Mr. Stephen McLaughlin as the Providence District (Principal) Representative to the Athletic Council. Chairman Hanley seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the At-Large (Diverse Population), Mason District, and Mount Vernon District Representatives to the Athletic Council.

CHARACTER COUNTS! TASK FORCE

(NOTE: Earlier in the meeting the Character Counts! Task Force presented a report to the Board. See Clerk's Summary Item CL#11.)

The Board deferred the appointment of the Sully District Representative to the Character Counts! Task Force.

CHILD CARE ADVISORY COUNCIL

Supervisor Kauffman moved the re-appointment of Ms. Jane Dion as the Lee District Representative to the Child Care Advisory Council. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Connolly moved the re-appointment of Ms. Brenda Wills Otis as the Providence District Representative to the Child Care Advisory Council. Supervisor Gross seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the Mount Vernon District and Springfield District Representatives to the Child Care Advisory Council.

COMMISSION FOR WOMEN

Supervisor Frey moved the appointment of Ms. Kathy Goggin to fill the unexpired term of Ms. Mary Campbell as the Sully District Representative to the Commission for Women. Supervisor Hyland seconded the motion, which carried by unanimous vote.

COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION

Supervisor Hyland moved the appointment of Dr. Myriam Eder to fill the unexpired term of Mr. Gregg W. Holman as the Mount Vernon District Representative to the Commission on Organ and Tissue Donation and Transplantation. Supervisor Kauffman seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the At-Large, At-Large (Minority), and Springfield District Representatives to the Commission on Organ and Tissue Donation and Transplantation.

Supervisor Gross asked unanimous consent that the Board direct the Clerk to provide attendance records for this commission. Without objection, it was so ordered.

COMMUNITY ACTION ADVISORY BOARD

The Board deferred the appointments of the Dranesville and Mason District Representatives to the Community Action Advisory Board.

COMMUNITY IMPROVEMENT COMMITTEE

Following a brief discussion, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to recirculate the report on the status of this committee. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor Mendelsohn declined to nominate the Dranesville District Representative to the Community Improvement Committee.

Supervisor Connolly declined to nominate the Providence District Representative to the Community Improvement Committee.

Supervisor Frey stated for the record that he agreed with Supervisor Connolly and declined to nominate the Sully District Representative to the Community Improvement Committee.

The Board deferred the appointments of the Braddock District, Mason District (Fairdale Community), and Springfield District Representatives to the Community Improvement Committee.

CONSUMER PROTECTION COMMISSION

Supervisor Kauffman moved the appointment of Ms. Gloria Loew as the Fairfax County Resident #11 Representative to the Consumer Protection Commission. Supervisor Connolly seconded the motion, which carried by unanimous vote.

CRIMINAL JUSTICE ADVISORY BOARD

Supervisor Bulova moved the appointment of Mr. Paul Liberty as the Braddock District Representative to the Criminal Justice Advisory Board. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Hyland moved the re-appointment of Mr. Dallas Shawkey as the Mount Vernon District Representative to the Criminal Justice Advisory Board. Supervisor Kauffman seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the Mason District and Springfield District Representatives to the Criminal Justice Advisory Board.

ENVIRONMENTAL QUALITY ADVISORY COUNCIL

The Board deferred the appointment of the Sully District Representative to the Environmental Quality Advisory Council.

Supervisor Hudgins announced the resignation of Ms. Judith Suchoski as the Hunter Mill District Representative to the Environmental Quality Advisory Council.

FAIRFAX AREA DISABILITY SERVICES BOARD

Supervisor Connolly announced the resignation of Mr. John Nicholas and moved the appointment of Mr. Ralph Robin "Rusty" Glazer to fill his unexpired term as the Providence District Representative to the Fairfax Area Disability Services Board. Supervisor Gross and Chairman Hanley jointly seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the At-Large, Dranesville District, Mount Vernon District, and Springfield District Representatives to the Fairfax Area Disability Services Board.

FAIRFAX COUNTY EMPLOYEES RETIREMENT SYSTEM BOARD OF TRUSTEES

Supervisor Frey moved the re-appointment of Mr. Robert Carlson as the At-Large Citizen #1 to the Fairfax County Employees Retirement System Board of Trustees. Supervisor Hyland seconded the motion, which carried by unanimous vote.

FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD

Chairman Hanley announced the nomination of Ms. Renee Alberts as an At-Large Representative to the Fairfax-Falls Church Community Services Board.

Supervisor McConnell moved the appointment of Ms. Kathleen M. May as the Springfield District Representative to the Fairfax-Falls Church Community Services Board. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Frey announced the nomination of Ms. Trudy Harsh to fill the unexpired term of Mr. John Stephens as the Sully District Representative to the Fairfax-Falls Church Community Services Board.

HEALTH CARE ADVISORY BOARD

The Board deferred the appointment of the Hunter Mill District Representative to the Health Care Advisory Board.

HISTORY COMMISSION

Supervisor Gross moved the re-appointment of Mr. Charles Wroblewski as the At-Large Citizen #7 Representative to the History Commission. Supervisor Connolly seconded the motion, which carried by unanimous vote.

HUMAN RIGHTS COMMISSION

Supervisor Connolly moved the re-appointment of Mr. Emanuel Solon as the At-Large #5 Representative to the Human Rights Commission. Supervisor Gross seconded the motion, which carried by unanimous vote.

Chairman Hanley moved the re-appointment of Mr. Edward Lewis, Jr. as the At-Large #6 Representative to the Human Rights Commission. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Kauffman moved the re-appointment of Ms. Gladys Keating as the At-Large #7 Representative to the Human Rights Commission. Supervisor Hyland seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the At-Large #4 Representative to the Human Rights Commission.

HUMAN SERVICES COUNCIL

Supervisor Connolly moved the re-appointment of Ms. Donna Fleming as the Providence District #2 Representative to the Human Services Council. Supervisor Hyland seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the Braddock District #2 Representative to the Human Services Council.

**JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT
CITIZENS ADVISORY COUNCIL**

The Board deferred the appointment of the Sully District Representative to the Juvenile and Domestic Relations District Court Citizens Advisory Council.

**NORTHERN VIRGINIA TRANSPORTATION COORDINATING
COUNCIL CITIZEN ADVISORY COMMITTEE**

The Board deferred the appointment of the At-Large Representative to the Northern Virginia Transportation Coordinating Council Citizen Advisory Committee.

OVERSIGHT COMMITTEE ON DRINKING AND DRIVING

The Board deferred the appointment of the At-Large #5 Representative to the Oversight Committee on Drinking and Driving.

ROAD VIEWERS BOARD

Following discussion, the Board deferred the appointment of the At-Large #5 Representative to the Road Viewers Board.

ROUTE 28 HIGHWAY TRANSPORTATION DISTRICT ADVISORY BOARD

The Board deferred the appointment of the At-Large Resident/Owner Rt. 28 District #3 Representative to the Route 28 Highway Transportation District Advisory Board.

TENANT LANDLORD COMMISSION

The Board deferred the appointment of the At-Large Landlord Member #3 Representative and the At-Large Tenant Member #1 Representative to the Tenant Landlord Commission.

TREE COMMISSION

The Board deferred the appointment of the Sully District Representative to the Tree Commission.

VOLUNTEER FIRE COMMISSION**CONFIRMATIONS:**

Supervisor Mendelsohn moved the confirmation of the following appointments to the Volunteer Fire Commission:

- Mr. John F. Powers as the Zone III Representative
- Mr. Andrew T. Eastman as Zone IV Representative
- Ms. Kathleen Hurley as the Volunteer Fire and Rescue Association Representative
- Mr. William Hershman as the At-Large Representative

Supervisor Bulova seconded the motion, which carried by unanimous vote.

WATER AUTHORITY

The Board deferred the appointment of the Dranesville District Representative to the Water Authority.

AD HOC COMMITTEES

HEALTH AND MEDICAL CARE DELIVERY TASK FORCE

Supervisor Bulova asked unanimous consent that the Board direct staff to determine whether this task force has nearly completed its mission. Without objection, it was so ordered.

The Board deferred the appointment of the Braddock, Mason, Springfield, and Sully District Representatives to the Health and Medical Care Delivery Task Force.

SIGN TASK FORCE

The Board deferred the appointment of the Springfield District Representative to the Sign Task Force.

TELECOMMUNICATIONS ("MONOPOLES") LAND USE TASK FORCE

The Board deferred the appointment of the Hunter Mill District Representative to the Telecommunications ("Monopoles") Land Use Task Force.

SBE:sbe

13. **ADMINISTRATIVE ITEMS** (Tape 3)

Supervisor Hyland moved approval of the Administrative Items. Supervisor Connolly seconded the motion.

Supervisor Connolly called the Board's attention to Admin 7 - Authorization to Advertise Public Hearings on Proposed Amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Regarding Development Plans and discussion ensued with input from Eileen M. McLane, Deputy Zoning Administrator for the Ordinance Administration Branch, Department of Planning and Zoning (DPZ).

Chairman Hanley called the Board's attention to Admin 8 - Authorization to Advertise Public Hearings on Proposed Amendments to the Countywide Trails Plan. Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked to amend the motion that the Board direct staff to include Metro stations

and Virginia Railway Express Stations on all the underlying maps, and this was accepted.

Discussion ensued with input from Fred R. Selden, Director, Planning Division, DPZ, and Sheng-Jieh Leu, Planner III, Planning Division, DPZ.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor Mendelsohn asked unanimous consent that the Board direct staff to correct the spelling of Great Falls on the map. Without objection, it was so ordered.

Supervisor Bulova asked unanimous consent that the Board direct staff to:

- Prepare a transparent overlay map of existing trails that could be used concurrently with the proposed trails map.
- Advertise the availability of this map.

Without objection, it was so ordered.

Further discussion ensued with input from Mr. Selden.

Supervisor Connolly called the Board's attention to Admin 10 - Authorization for the Fairfax County Police Department (FCPD) to Apply to the Bureau of Justice Assistance for a Grant Under the Local Law Enforcement Block Grant Program and discussion ensued with input from Lieutenant James E. Edmundson, Commander Technical Support Division, Technical Service Bureau, FCPD.

Supervisor Connolly called the Board's attention to Admin 12 - Supplemental Appropriation Resolution AS 02019 for the Fairfax County Juvenile and Domestic Relations District Court Services to Accept Grant Funds from the Virginia Department of Criminal Justice Services to Continue the Intensive Aftercare Supervision Components for the Transitional Living Program at the Boys Probation House and for the Alpha and Beta Post-Dispositional Treatment Programs at the Juvenile Detention Center and discussion ensued with input from Loraine Peck, staff, Boys Probation House, Transitional Living Program, Juvenile Court.

Supervisor Connolly called the Board's attention to Admin 13 - Supplemental Appropriation Resolution AS 02018 for the Fairfax County Juvenile and Domestic Relations District Court Services to Accept Grant Funds from the Virginia Department of Criminal Justice Services to Continue the Maximize Attendance Program and discussion ensued with input from Anthony H. Griffin, County Executive. Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to provide the

Board with the number of grants that are supporting positions that the County has now that have actually ended. Without objection it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Chairman Hanley called the Board's attention to Admin 17 - Authorization to Advertise a Public Hearing on Proposed Amendments to the Code of the County of Fairfax, Chapter 7 (Central Absentee Voter Election District), to Consider Two Ordinances Relating to Election Precincts.

Supervisor Gross asked unanimous consent that the Board direct staff to make the following corrections:

- On handwritten page 54 of the Memorandum to the Board, dated July 23, 2001, the proposed Holmes #1 Precinct the polling place is listed as Glen Forest Elementary School and should be changed to Bailey's Elementary School.
- On handwritten page 58 of the Memorandum to the Board, dated July 23, 2001, at the top left hand side of page, the existing precinct is listed as North Springfield #3 and in the outlined area in the map it is listed as North Springfield #1, which is incorrect and should read North Springfield #3.
- On handwritten page 61 of the Memorandum to the Board, dated July 23, 2001, the description of Edsall Precinct lists it as the Eleventh Congressional District, however, it is now in the Eighth Congressional District.

Without objection, it was so ordered.

Supervisor Kauffman asked unanimous consent that the Board direct staff to visually emphasize the new polling places in the mail out of the new voter cards. Without objection, it was so ordered.

Discussion ensued with input from Carol Ann Coryell, Secretary, Electoral Board.

The question was called on the motion to approve the Administrative Items, as amended, and it carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

**ADMIN 1 – STREETS INTO THE SECONDARY SYSTEM
(DRANESVILLE AND PROVIDENCE DISTRICTS)**

Approved the request that the streets listed below be accepted into the State Secondary System:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Ridgegate Woods Section 1 & 2	Dranesville	Ridgegate Drive Thurber Street Philmont Drive Moormont Avenue Judd Court Dranesville Road Route 228 Additional ROW Only
Edgemore Manor	Providence	Tate Court Hibbard Street Route 784 Additional ROW Only

**ADMIN 2 – EXTENSION OF REVIEW PERIODS FOR 2232 PUBLIC
FACILITY REVIEW APPLICATIONS (LEE, MOUNT VERNON,
PROVIDENCE, AND SPRINGFIELD DISTRICTS)**

Authorized the extension of review periods for the following Public Facility (2232) Review Applications to the dates noted:

- Application 2232-S01-13 to November 19, 2001
- Application FS-L97-24 to February 3, 2002

**ADMIN 3 – INSTALLATION OF A MULTI-WAY STOP AT GREAT
FALLS WAY, NALLS FARM WAY, AND NALLS DAIRY COURT
(DRANESVILLE DISTRICT)**

- Endorsed the installation of a multi-way stop at Great Falls Way, Nalls Farm Way, and Nalls Dairy Court (Dranesville District)
- Directed staff to request the Virginia Department of Transportation to install these signs at the earliest possible date.

ADMIN 4 – ADDITION OF A PORTION OF BRADDOCK ROAD AND THE ADDITION AND DISCONTINUANCE OF SEGMENTS OF RUBY DRIVE (SPRINGFIELD AND SULLY DISTRICTS)

(R) Adopted the Resolution requesting that:

- Additional lanes of Braddock Road (Route 620) be added to the secondary system.
- Segments of Ruby Drive (Route 3569) be added to and discontinued from the secondary system.

ADMIN 5 – PROPOSED STREET NAME CHANGE FOR A PORTION OF STUART ROAD (HUNTER MILL AND DRANESVILLE DISTRICTS)

Approved the street name change in the *Official Street Names and Property Numbering Atlas* for a portion of Stuart Road to Shaker Woods Road from its intersection with Fairfax County Parkway, north of its terminus at Sugarland Road on Tax Map Number 011-1, to become effective in 30 days in accordance with Section 102-1-9 of the Code of the County of Fairfax.

ADMIN 6 – PROPOSED STREET NAME CHANGE FOR ROCKY GAP DRIVE (MOUNT VERNON DISTRICT)

Approved the street name change in the *Official Street Names and Property Numbering Atlas* for Rocky Gap Drive to Southrun Road from its intersection with Silverbrook Road in an easterly direction to the existing Southrun Road on Tax Map Number 098-3, to become effective in 30 days in accordance with Section 102-1-9 of the Code of the County of Fairfax.

ADMIN 7 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING DEVELOPMENT PLANS

(A)(R) (NOTE: Earlier in the meeting this item was discussed. See page 11.)

Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on September 19, 2001, and before the Board on **October 22, 2001, at 3:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding development plans.

ADMIN 8 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON PROPOSED AMENDMENTS TO THE COUNTYWIDE TRAILS PLAN

(A) (NOTE: Earlier in the meeting the Board took action on this item. See page 11.)

Authorized the advertisement of a public hearing to be held before the Planning Commission on October 3, 2001, and before the Board on **November 19, 2001, at 4 p.m.** to consider the proposed amendments to the Countywide Trails Plan as recommended by the Countywide Non-motorized Transportation Committee.

ADMIN 9 – FISCAL YEAR (FY) 2002 PERFORMANCE CONTRACT BETWEEN THE VIRGINIA DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES, AND THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB)

Approved the Performance Contract for FY 2002 between the Virginia Department of Health, Mental Retardation and Substance Abuse Services, and CSB.

ADMIN 10 – AUTHORIZATION FOR THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD) TO APPLY TO THE BUREAU OF JUSTICE ASSISTANCE FOR A GRANT UNDER THE LOCAL LAW ENFORCEMENT BLOCK GRANT PROGRAM

(NOTE: Earlier in the meeting this item was discussed. See page 12.)

Authorized the FCPD to apply for Local Law Enforcement Block Grant funding from the Department of Justice in the amount of \$227,051. A local cash match of \$25,228 is required, for a total grant award of \$252,279.

ADMIN 11 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 02014 FOR THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD) AND THE FAIRFAX COUNTY SHERIFF TO ACCEPT FUNDING FROM THE BUREAU OF JUSTICE ASSISTANCE FOR THE PURCHASE OF BULLETPROOF VESTS

(SAR) Approved SAR AS 02014 in the amount of \$35,888 for the FCPD and the County Sheriff to accept a Federal Fiscal Year 2001 grant for the purchase of 148 ballistic vests under the Bulletproof Vest Partnership Grant Act of 1998. A local cash match of \$35,888 is required, for a total grant award of \$71,776.

**ADMIN 12 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)
AS 02019 FOR THE FAIRFAX COUNTY JUVENILE AND DOMESTIC
RELATIONS DISTRICT COURT SERVICES TO ACCEPT GRANT
FUNDS FROM THE VIRGINIA DEPARTMENT OF CRIMINAL
JUSTICE SERVICES (DCJS) TO CONTINUE THE INTENSIVE
AFTERCARE SUPERVISION COMPONENTS FOR THE
TRANSITIONAL LIVING PROGRAM AT THE BOYS PROBATION
HOUSE AND FOR THE ALPHA AND BETA POST-DISPOSITIONAL
TREATMENT PROGRAMS AT THE JUVENILE DETENTION CENTER**

(SAR) (NOTE: Earlier in the meeting this item was discussed. See page 12.)

Approved SAR AS 02019 in the amount of \$75,000 to continue the intensive aftercare supervision components for the Boys Probation House Transitional Living Program and for the post-dispositional treatment programs in the Juvenile Detention Center. Grant funding in the amount of \$56,250 is available from the Virginia DCJS. The required local cash match for the third year of funding is \$18,750.

**ADMIN 13 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)
AS 02018 FOR THE FAIRFAX COUNTY JUVENILE AND DOMESTIC
RELATIONS DISTRICT COURT SERVICES TO ACCEPT GRANT
FUNDS FROM THE VIRGINIA DEPARTMENT OF CRIMINAL
JUSTICE SERVICES (DCJS) TO CONTINUE THE MAXIMIZE
ATTENDANCE PROGRAM (MAP)**

(SAR) (NOTE: Earlier in the meeting the Board took action on this item. See page 12.)

Approved SAR AS 02018 in the amount of \$75,000 for the Juvenile and Domestic Relations District Court to support the Maximize Attendance Program for adjudicated truants. Grant funding in the amount of \$18,750 is available from the Virginia DCJS. A local cash match of \$56,250 is required for this year.

**ADMIN 14 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)
AS 02020 FOR THE COURT SERVICES DIVISION OF THE GENERAL
DISTRICT COURT TO ACCEPT GRANT FUNDS FROM THE VIRGINIA
DEPARTMENT OF CRIMINAL JUSTICE SERVICES (DCJS) FOR
FISCAL YEAR 2002 GRANT FUNDING UNDER THE
COMPREHENSIVE COMMUNITY CORRECTIONS ACT (CCCA) AND
THE PRETRIAL SERVICES ACT**

(SAR) Approved SAR AS 02020 in the amount of \$570,451 to appropriate DCJS grant funding under the CCCA and Pretrial Services Act. No local cash match is required.

ADMIN 15 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE PROPOSED APPROVAL OF A REPLACEMENT PROMISSORY NOTE TO BE ISSUED BY THE BURKE VOLUNTEER FIRE AND RESCUE DEPARTMENT, INCORPORATED (SPRINGFIELD DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 10, 2001, at 3:30 p.m.** to consider the issuance and/or incurrence by the Burke Volunteer Fire and Rescue Department of the Replacement Promissory Note.

ADMIN 16 – ACCEPTANCE OF STONECROFT BOULEVARD INTO THE STATE SECONDARY SYSTEM (SULLY DISTRICT)

- (R) Approved the request that the street listed below be accepted into the State Secondary System:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Stonecroft Boulevard	Sully	Stonecroft Boulevard 4 Lanes

ADMIN 17 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 7 (CENTRAL ABSENTEE VOTER ELECTION DISTRICT), TO CONSIDER TWO ORDINANCES RELATING TO ELECTION PRECINCTS

- (A) (NOTE: Earlier in the meeting the Board took action on this item. See page 13.)

Authorized the advertisement of a public hearing to be held before the Board on **August 6, 2001, at 5:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 7 (Central Absentee Voter Election District), to consider two ordinances relating to election precincts.

14. **A-1 – APPROVAL OF THE CONSOLIDATED COMMUNITY FUNDING ADVISORY COMMITTEE (CCFAC) RECOMMENDATIONS REGARDING THE FISCAL YEAR (FY) 2003 AND FY 2004 FUNDING PRIORITIES FOR THE CONSOLIDATED COMMUNITY FUNDING POOL** (Tape 3)

On motion of Supervisor Connolly, seconded by Supervisor Hyland and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the FY 2003 and FY 2004 Funding Priorities for the Consolidated Community Funding Pool items as recommended by the CCFAC.

15. **A-2 – APPROVAL OF THE SEWER SERVICE AGREEMENT (SSA) BETWEEN THE SMITHSONIAN INSTITUTION AND FAIRFAX COUNTY (SULLY DISTRICT)** (Tape 3)

Supervisor Frey moved that the Board concur in the recommendation of staff and:

- Approve the SSA.
- Authorize the County Executive to execute the SSA in order to allow the Smithsonian Institution to connect the proposed National Air and Space Museum Udvar-Hazy Center to the County's Sanitary Sewer System in accordance with its terms.

Supervisor Connolly seconded the motion.

Discussion ensued with input from Anthony H. Griffin, County Executive, and Jimmy D. Jenkins, Director, Wastewater Planning and Monitoring, Department of Public Works and Environmental Services.

Chairman Hanley announced the retirement of Mr. Jenkins effective next month and publicly thanked him for his service.

The question was called on the motion, and it carried by unanimous vote.

(NOTE: Later in the meeting there was additional discussion regarding the retirement of Mr. Jenkins and another long-term employee. See Clerk's Summary Item CL#52.)

16. **A-3 – AUTHORIZATION FOR THE NORTHERN VIRGINIA TRANSPORTATION COMMISSION (NVTC) TO PROCURE SMARTRIP-COMPATIBLE FAREBOXES ON BEHALF OF FAIRFAX COUNTY** (Tape 3)

Supervisor Frey moved that the Board concur in the recommendation of staff and authorize in substantial form and direct staff to sign the letter authorizing the NVTC to negotiate and execute an agreement on behalf of the County for the purchase of SmarTrip-compatible fareboxes to be installed on FAIRFAX CONNECTOR buses. NVTC will also purchase additional farebox data processing equipment for use at FAIRFAX CONNECTOR garages and related services such as training.

Supervisor Bulova and Supervisor Connolly jointly seconded the motion.

Following a brief discussion, the question was called on the motion, which carried by unanimous vote.

17. **A-4 – AUTHORIZATION FOR THE DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES (DPWES) TO PROCEED WITH THE COUNTY'S MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) PERMIT RENEWAL** (Tape 3)

Supervisor Mendelsohn moved that the Board concur in the recommendation of staff and authorize DPWES to proceed with the initial application for the County's MS4 permit renewal to comply with the submission deadline of July 24, 2001. Supervisor Gross seconded the motion and it carried by unanimous vote.

Discussion ensued, with input from Anthony H. Griffin, County Executive, regarding the proposed level of service.

18. **A-5 – APPROVAL OF PROPOSED REVISIONS TO CHAPTERS 2, 3, 4, 10, 12, AND 17 OF THE PERSONNEL REGULATIONS MODIFYING THE CLASSIFICATION PROCESS AND OTHER HOUSEKEEPING CHANGES** (Tape 3)

Supervisor Gross moved that the Board concur in the recommendation of staff and adopt the proposed revisions to Chapters 2, 3, 4, 10, 12, and 17 of the Personnel Regulations. Supervisor Connolly seconded the motion.

Discussion ensued with input from Anthony H. Griffin, County Executive; Susan Woodruff, Manager of Employee Relations, Department of Human Resources; and Peter D. Andreoli, Senior Assistant County Attorney,

The question was called on the motion which carried by unanimous vote.

19. **A-6 – AUTHORIZATION TO REALLOCATE \$50,000 FROM PROJECT 014013, DEVELOPMENT FUND, WITHIN FUND 144, HOUSING TRUST FUND AS A LOAN TO WESLEY HOUSING DEVELOPMENT CORPORATION OF NORTHERN VIRGINIA** (Tape 3)

Supervisor Hudgins moved that the Board concur in the recommendation of staff and reallocate \$50,000 from the Predevelopment Project of the Housing Trust Fund to Wesley Housing Development Corporation of Northern Virginia for the purpose of conducting preliminary studies for the development of 67 independent living units at Coppermine Place. The second to this motion was inaudible.

Chairman Hanley distributed to the Board the applicable pages from the Fiscal Year 2002 Adopted Budget regarding the Housing Trust Fund and discussion ensued.

Supervisor Hudgins clarified for the record that the Board's action in approving this has no bearing on the approval of the subsequent land use application.

Discussion ensued with input from Paula C. Sampson, Director, Department of Housing and Community Development.

With reference to page 76 of the Memorandum to the Board, dated July 23, 2001, regarding predevelopment funds, Supervisor Gross asked unanimous consent that the Board direct staff to provide information on the status of those predevelopment funds over the last five or six years. Without objection, it was so ordered.

The question was called on the motion, which carried by unanimous vote.

20. **C-1 – APPEAL OF SECTION 15.2-2232 DETERMINATION - 2232-H00-10, VERIZON WIRELESS (HUNTER MILL DISTRICT)** (Tape 3)

Chairman Hanley announced that the appeal of Section 15.2-2232 Determination - 2232-H00-10, Verizon Wireless had been withdrawn by the applicant.

Discussion ensued briefly with input from David P. Bobzien, County Attorney.

21. **I-1 – CONTRACT AWARD - MOUNT VERNON POLICE STATION (MOUNT VERNON DISTRICT)** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated July 23, 2001, requesting authorization for staff to:

- Award a contract to Zadmer Enterprises, Incorporated, in the amount of \$4,949,000 for the construction of Project 009206, Mount Vernon Police Station, in Fund 312, Public Safety Construction. This project consists of construction of approximately 19,000 square foot renovation and 14,000 square foot addition to the existing Mount Vernon Police Station.
- Reallocate funds in the amount of \$1,064,150 to Project 009203, Public Safety Contingency, to fund possible shortfalls in other projects within this fund.

The staff was directed administratively to proceed as proposed.

22. **I-2 – CONTRACT AWARD - WOODLAND ROAD STORM DRAINAGE IMPROVEMENT (MASON DISTRICT)** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated July 23, 2001, requesting authorization for staff to award a contract to Cube Construction Corporation in the amount of \$162,128 for construction of Project

AC0283, Woodland Road Storm Drainage Improvement, in Fund 316, Pro Rata Share Drainage Construction.

The staff was directed administratively to proceed as proposed.

23. **I-3 – VIRGINIA DEPARTMENT OF TRANSPORTATION DULLES TOLL ROAD TOLL FACILITIES REVOLVING ACCOUNT - SURPLUS REVENUES** (Tapes 3-4)

The Board next considered an item contained in the Memorandum to the Board dated July 23, 2001, providing information requested by the Board at the June 25, 2001, Board meeting relating to the Dulles Toll Road net surplus revenue.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and stated that based on the information she distributed to the Board on this item, she moved that the Board direct staff to prepare a letter to the Virginia Secretary of Transportation:

- Expressing the Board's appreciation for:
 - The 80 percent of the allocation from surplus toll road revenues for the transit set-aside in Fiscal Year (FY) 2002.
 - Funding of the Dulles Corridor Express Bus Service.
- Communicating the Board's concerns about the limited amount of transit set aside dollars from surplus Dulles Toll Road revenues in the past, and urging her to:
 - Maximize the amount of surplus toll road revenues set aside for transit in FY 2003 and beyond.
 - Consider bonding the reconstruction of Hunter Mill Road interchange.
 - Work with the County to develop a plan, in accordance with the 1990 Commonwealth Transportation Board resolution, that will make substantial revenues available for the Bus Rapid Transit/Rail Project in the Dulles Corridor.

Supervisor Connolly seconded the motion.

Following discussion, Supervisor Connolly asked to amend the motion to change "Maximize" to "Increase and maximize," and this was accepted.

Following discussion, Chairman Hanley asked to amend the motion to include language to the last bullet that "as the Resolution suggests review it annually," and this was accepted.

The question was called on the motion, as amended, and it carried by unanimous vote.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

24. **I-4 – WEST OX COMPRESSED NATURAL GAS SITE** (Tape 4)

The Board next considered an item contained in the Memorandum to the Board dated July 23, 2001, announcing that staff:

- Concurs in the recommendations of the Environmental Quality Advisory Council as listed in the Memorandum to the Board dated July 23, 2001.
- Recommends that the County close the compressed natural gas facility located at the West Ox Maintenance Facility.
- Recommends to request Washington Gas to remove its equipment from the West Ox Maintenance facility.

Discussion ensued with input from Anthony H. Griffin, County Executive and James D. Gorby, Director, Department of Vehicle Services regarding issues related to air quality and ultra-low fuels.

(NOTE: Later in the meeting the Board discussed another item regarding the County's fleet. See Clerk's Summary Item CL#25)

ADDITIONAL BOARD MATTERS

NV:nv

25. **COMPOSITION OF COUNTY'S FLEET** (Tape 5)

(NOTE: Earlier in the meeting the Board discussed another issue regarding the County's fleet. See Clerk's Summary Item CL#24.)

Chairman Hanley stated that recently the Transportation Planning Board (TPC) began the process of amending the region's Constrained Long Range Plan, using

the most recent vehicle registration data. According to the draft analysis to test for conformity with the adopted clean air plan, the projection for the region suggests that it will be out of compliance in 2005. Part of the problem seems to be the increase in the number of Sport-Utility Vehicles (SUVs) and the vehicle miles the SUVs travel. SUVs, classified as light trucks, do not have the same emissions requirements as cars. She noted that SUVs and four-wheel drive vehicles are not synonymous because some cars have four-wheel drive.

Chairman Hanley stated that according to the Fiscal Year 2002 Adopted Budget, the County has a fleet of 5,184 vehicles, of which approximately 1,380 are school buses. She relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct the County Executive to:

- Institute an immediate moratorium on the addition of SUVs to the County fleet.
- Develop a vehicle plan that establishes the minimum number of SUVs that County operations require and, if the current number of SUVs exceeds that minimum, to schedule them immediately for replacement.

Supervisor Kauffman seconded the motion.

Supervisor Mendelsohn asked to amend the motion to request the School Board to also participate, and this was accepted.

Chairman Hanley clarified that the fleet of 5,184 vehicles included those for the School Division.

Following a lengthy discussion, with input from Anthony H. Griffin, County Executive, and James D. Gorby, Director, Department of Vehicles Services, the question was called on the motion, as amended, which carried by unanimous vote.

26. **FAIRFAX FILM AND VIDEO FESTIVAL** (Tape 5)

Chairman Hanley announced that Fairfax Cable Access is sponsoring a Fairfax Film and Video Festival from December 2-8, 2001, to provide a forum for showing the work of talented residents within the Metropolitan Washington area. The goal of the festival is to inspire, inform, educate, and further the ideal embodied in the First Amendment. Accordingly, she moved that the Board direct staff to invite representatives from Fairfax Cable Access to appear before the Board on December 3, 2001, to receive a proclamation declaring December 2-8, 2001, as "*Fairfax Film and Video Festival Week*" in Fairfax County. Supervisor Kauffman seconded the motion, which carried by unanimous vote.

27. **HISPANIC HERITAGE MONTH** (Tape 5)

Chairman Hanley moved that the Board direct staff to invite representatives from the Office of Equity Programs and the Hispanic community to appear before the Board at the September 10, 2001, meeting to receive a proclamation declaring "*Hispanic Heritage Month*" in Fairfax County. Supervisor Connolly seconded the motion, which carried by unanimous vote.

28. **RECOGNITION OF GROUPS FOR THEIR SUPPORT OF THE MEDICAL CARE FOR CHILDREN PARTNERSHIP (MCCP)** (Tape 5)

Chairman Hanley announced that the Office of Partnerships wishes to recognize four groups for their support of the MCCP. She moved that the Board direct staff to invite the following individuals and the companies they represent to appear before the Board on August 6, 2001, to be recognized for their contributions to the MCCP programs:

- P. Wesley Foster, Jr., President, Long and Foster Realtors
- Ed and Cathy Newman, Xybernaut Corporation
- Patricia Kelley, President, Country Lines Dancers Association
- Jennifer Sterling, Spot Color, Incorporated

Supervisor Connolly seconded the motion, which carried by unanimous vote.

29. **CHORAL MUSIC WEEK** (Tape 5)

Chairman Hanley moved that the Board direct staff to invite representatives from the Fairfax Choral Society to appear before the Board on September 10, 2001, to receive a proclamation declaring September 10-16, 2001, as "*Choral Music Week*" in Fairfax County. Supervisor Connolly seconded the motion, which carried by unanimous vote.

30. **MENTAL ILLNESS AWARENESS WEEK** (Tape 5)

Chairman Hanley moved that the Board direct staff to invite representatives from the Fairfax-Falls Church Community Services Board to appear before the Board on October 1, 2001, to receive a proclamation declaring October 7-13, 2001, as "*Mental Illness Awareness Week*" in Fairfax County. Supervisor Connolly seconded the motion, which carried by unanimous vote.

31. **FUNDING FOR GEORGE MASON UNIVERSITY (GMU)** (Tape 5)

Chairman Hanley shared with the Board copies of a letter from John W. Forbes, Secretary of Finance for the Commonwealth of Virginia, in response to a letter from the Board expressing concern about funding for GMU.

32. **FIRE SPRINKLERS** (Tape 5)

Chairman Hanley distributed to the Board copies of an article from the July 19, 2001, edition of *The Washington Post*. The article noted that 35 million defective fire sprinklers were being recalled.

Following brief input from Anthony H. Griffin, County Executive, Chairman Hanley asked unanimous consent that the Board direct staff to provide a detailed report as to the cost to the County regarding this issue. Without objection, it was so ordered.

33. **ACTION ALERT FROM THE VIRGINIA MUNICIPAL LEAGUE (VML) REGARDING PROPOSED AMENDMENTS TO THE BUILDING CODE** (Tape 5)

Chairman Hanley announced that the Board of Housing and Community Development is set to consider amendments to the building code that would require the building official to act on an application for a single or two-family structure within 15 days of receipt of the final application. This announcement was an alert from the VML.

Accordingly, Chairman Hanley asked unanimous consent that the Board direct staff to:

- Review this issue.
- Provide a recommendation for a Board position for action on August 6, 2001.

Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

PMH:pmh

34. **TRUCK RESTRICTIONS ON HUNTER MILL ROAD** (Tape 6)

Supervisor Mendelsohn said that he has been contacted by several citizens inquiring about the possibility of placing truck restrictions on Hunter Mill Road. He noted that Hunter Mill Road is a route rich in history, and its residents

continue to be actively involved in efforts to preserve its historic landmarks. Residents of this corridor are currently working with the Commonwealth of Virginia in efforts to recognize the historic significance of the road and its environs, including designation of Hunter Mill Road as a "Virginia Byway."

Supervisor Mendelsohn said that among the concerns shared by many residents in the Hunter Mill Road corridor is the influx of trucks carrying hazardous materials cargo on the thoroughfare. Residents of the corridor are concerned that the two-lane Hunter Mill Road, with its winding turns and steep hills, is ill-suited to trucks in general, and even less suited to HazMat trucks.

Therefore, Supervisor Mendelsohn asked unanimous consent that the Board direct staff to:

- Determine whether it is feasible to have a total ban on the use of Hunter Mill Road by heavy trucks.
- Determine whether it is feasible to ban only trucks carrying hazardous materials cargo.
- Report as soon as possible.

Without objection, it was so ordered.

Following discussion, Supervisor Hudgins asked unanimous consent that the Board direct staff to provide the follow-up on the same matter to her office. Without objection, it was so ordered.

Supervisor Frey asked unanimous consent that the Board direct staff to provide information regarding potential enforcement and enforcement costs. Without objection, it was so ordered.

35. **REQUEST FOR CERTIFICATE OF RECOGNITION** (Tape 6)

Supervisor Mendelsohn said that Ms. Puneet Gambhir of Herndon has been appointed to the inaugural Youth Partnership Team for America's Promise. America's Promise, a program founded by now Secretary of State Colin Powell after the priority for such a program was established at the Presidents' Summit for America's Future in 1997, involves young people in its effort to build character and competence in today's youth. The Youth Partnership Team is made up of young people between the ages of 14 and 22 and will serve as a sounding board and leadership group for the America's Promise staff. A basic tenet of America's Promise is that young people are resources and leaders and that they are part of the solution, not the problem.

Supervisor Mendelsohn said that Ms. Gambhir has the distinction of being the youngest member to participate in the Youth Partnership Team for America's Promise. At 14 years of age, she has been active in the Fairfax County Community of Promise and has demonstrated significant service and leadership potential to benefit children and youth.

Therefore, Supervisor Mendelsohn asked unanimous consent that the Board direct staff to invite Ms. Puneet Gambhir to appear before the Board at a date to be determined to recognize her significant accomplishments and participation in the Youth Partnership Team of America's Promise. Without objection, it was so ordered.

36. **REGIONAL STUDY OF BUS SERVICE - POTENTIAL NEW ROUTE**
(Tape 6)

Supervisor Bulova said that the Burke Centre Virginia Railway Express (VRE) parking lot is the most heavily used commuter rail lot in Fairfax County.

Supervisor Bulova suggested that a new or adjusted existing bus route could begin at the Burke VRE lot; travel north on Roberts Road or Roberts Road to Sideburn Road to George Mason University; proceed on Route 123, then Route 236 through the City of Fairfax, past the Courthouse and the Massey Building; continue on Route 236 to Route 50 past Fair Oaks Mall; and culminate at the Fairfax County Government Center.

Supervisor Bulova said that staff has suggested that potential service could be provided by the Fairfax Connector, the City's CUE Bus or Metro.

Therefore, Supervisor Bulova moved that the Board direct staff to:

- Examine the feasibility of providing bus service as described above, perhaps in conjunction with the regional bus study that is currently underway.
- Report with recommendations regarding the potential for beginning and funding such service.

Chairman Hanley seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to identify the cost. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

37. **UPDATE ON THE OMBUDSMAN FOR NON-PROFITS AND PLACES OF WORSHIP** (Tape 6)

Supervisor Bulova said that last year, the Board created a new position, an ombudsman for Non-Profits and Places of Worship, in response to the faith community's problems with navigating through the zoning and site plan processes in Fairfax County. As envisioned, the ombudsman would be able to "shepherd" the application through the entire process from start to finish should the church or non-profit wish to avail itself of this service. The position was seen as part liaison for the different County or State departments and the organization, part coordinator in bringing the different parties together, part educator in explaining the process to neophyte "developers" and part advocate in trying to find reasonable solutions and compromises.

Supervisor Bulova said that last year, Saint Stephens Methodist Church, located on Braddock Road was going through the special exception amendment process. Saint Stephens agreed to be the very first church to go through the ombudsman process. She said that the special exception part went so smoothly that she assumed that everything was okay on the site plan side of the process. Recently, she learned that things had not gone as well.

Supervisor Bulova said that the architectural plans took quite awhile to get through the Fire Marshall's review. This is an area where the ombudsman could take the lead early in the process so that the non-profits would be aware up front of the various thresholds size-wise, capacity-wise, et cetera at which "higher" standards or additional requirements (and greater cost) would be triggered by the Fire Marshall's regulations and code requirements. Another example is what happens after the site plan is approved and is sent to Bonds and Agreements Section. It would be very helpful if the Ombudsman could provide a checklist for non-profits that explained the steps involved in getting through this phase of the process. Applying for the Virginia Department of Transportation Entrance Permit is another area where the ombudsman could provide information.

Supervisor Bulova noted that this fall there will be another forum to bring the non-profits and places of worship together with County staff. She added that there is a new Ombudsman, Tom Nelson.

Therefore, Supervisor Bulova moved that the Board direct staff to review the Ombudsman process in conjunction with the fall forum and report with their findings and recommendations later this year. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

38. **REALLOCATION OF SECONDARY ROAD FUNDS** (Tape 6)

Supervisor Bulova said that when the Virginia Department of Transportation (VDOT) has to acquire right-of-way for a typical road project in Fairfax County, Secondary Road Funds are used to purchase the property. Sometimes, VDOT will purchase more right-of-way than is needed for the project. If that is the case, then at completion of the project VDOT will sell the remnant properties. Often the remnant parcels are large enough that they can be sold as individual buildable lots.

Supervisor Bulova said that she recently learned that the money that VDOT receives for the sale of these remnant lots is returned to Richmond and goes into the State's General Fund. A more reasonable and equitable use of that "found" money would be to put it back into the Secondary Road funds earmarked for the jurisdiction from which it came from.

Therefore, Supervisor Bulova moved that the Board refer this item to the Board's Legislative Committee for consideration in the recommendations for the General Assembly's 2002 Legislative Agenda. Chairman Hanley seconded the motion.

A brief discussion ensued.

The question was called on the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

39. **FISCAL YEAR (FY) CARRYOVER BUDGET CONSIDERATION ITEM
FUND 308, PROJECT A0002 FUNDING FOR HOUSING FLOODING,
CATEGORY 2 PROJECTS** (Tape 6)

Supervisor Bulova said that the County Executive's Advertised Budget for FY 2002 recommended \$1 million in funding for stormwater management projects, including five Category 2 projects to correct house flooding. This was one of the items that the Board removed from the budget to provide additional funding to the Schools. The Department of Public Works and Environmental Services staff was directed to try to find alternative sources for the house flooding projects. A thorough review of all projects and all sources of funding was conducted. She said that the pro rata share watershed funds cannot be moved from one watershed to be used for construction in another watershed. Therefore, a shortfall of \$341,000 remains. Since the FY 2002 Advertised Budget was published, three new house flooding projects have been identified with funding needs of an additional \$400,000.

Supervisor Bulova said that the first five Category 2 projects are not "nice to have" projects; they are emergency projects. The situation at Wheatfield Court is so serious that staff installed sandbags in the back yard of the residences to help keep storm water from entering the house. The Wheatfield project is in final

design, easements from the four property owners are being secured, and staff will be ready to advertise this project in September if funding can be secured.

Therefore, Supervisor Bulova moved that Board direct staff to add a Consideration Item for \$341,000 to be advertised as part of the FY 2001 Carryover Budget. Supervisor Gross seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

40. **REQUEST FOR EXPEDITED AND CONCURRENT PROCESSING FOR THE SHENANDOAH PRIDE SPECIAL EXCEPTION AMENDMENT APPLICATION/SITE PLAN** (Tape 6)

Supervisor Bulova said that the Shenandoah Pride Dairy, located on Port Royal Road, has filed an application to amend its special exception. The proposed changes are relatively minor.

Supervisor Bulova said that to allow for the proposed changes to occur before winter arrives, Shenandoah Pride Dairy has asked that its application and modification of the existing, approved site plan be expedited and reviewed concurrently.

Supervisor Bulova moved that the Board direct staff to expedite the:

- Review of the special exception amendment application for the Shenandoah Pride Dairy.
- Concurrent review of the amended special exception plat and modifications to the existing, approved site plan.

This motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations or adopted standards nor does it prejudice the consideration of this application in any way. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

41. **INTENT TO DEFER THE PUBLIC HEARING ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 90-D-058** (Tape 6)

Supervisor Mendelsohn announced that at the appropriate time, later in the meeting, the public hearing on Proffered Condition Amendment Application PCA 90-D-058 will be deferred until August 6, 2001.

(NOTE: Later in the meeting this public hearing was formally deferred. See Clerk's Summary Item CL#69.)

42. **BICYCLE FACILITY AS PART OF THE ROUTE 28 PUBLIC/PRIVATE PARTNERSHIP IMPROVEMENT PROJECT** (Tape 6)

Supervisor Frey said that the Virginia Department of Transportation (VDOT) is now negotiating a contract regarding the public/private partnership to improve Route 28 as a limited access facility. To encourage non-motorized transportation in the corridor, staff has recommended that a bicycle facility be included with this improvement.

Therefore, Supervisor Frey moved that the Board request that as a part of the Route 28 public/private partnership improvement project VDOT include provisions for a bicycle facility as part of the design and construction for Route 28. Supervisor Hudgins seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

43. **BRIDGE REPLACEMENT PROJECT ON HUNTER MILL ROAD OVER DIFFICULT RUN** (Tape 6)

Supervisor Hudgins said that the bridge replacement project on Hunter Mill Road over Difficult Run is currently in the preliminary engineering phase where the Virginia Department of Transportation (VDOT), the Department of Transportation (DOT), and a citizen task force has been working together to address outstanding concerns. This project is also on the Six-Year Secondary Road Program.

Supervisor Hudgins said that one outstanding concern is the desire to have a pedestrian signal installed at Hunter Mill Road and the W&OD Trail crossing in advance of the bridge replacement project. VDOT has indicated that it supports a future signal installation and concluded that installing a signal in advance of the bridge replacement project would be beneficial as long as the geometric and equipment installation is needed and kept within the bridge replacement project.

Supervisor Hudgins moved that the Board request that:

- VDOT and DOT work together to identify the geometric and equipment necessary to stay within the scope of the project to facilitate installation of the pedestrian signal in advance of the bridge replacement project.
- Determine whether installation of the pedestrian signal can be included as part of the funding for the project, as the signal will help meet the project's goal to ease movement and increase safety along Hunter Mill Road.

Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

44. **FEDERAL CLEAN WATER ACT PERMIT PROGRAM** (Tape 6)

Supervisor Hudgins said that the Environmental Protection Agency cited six properties in Fairfax County for not complying with the federal Clean Water Act permit program. Three of the six locations are in the Hunter Mill District. She said that State and federal requirements are that developers create a pollution prevention plan at the time of a site plan submission if the project disturbs five acres or more of land. The plan must spell out how a developer will handle chemical pollutants, such as gasoline, oil, grease, and chemicals normally used during construction. The permit program is administered through the Virginia Department of Environmental Quality.

Supervisor Hudgins asked unanimous consent that the Board direct staff to review the current and previous policies on this matter to determine the impact of non-compliance on Fairfax County and determine if there is a more effective way under the current Policy to ensure plans are developed to protect the environment. Without objection, it was so ordered.

Following discussion, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to determine how the regulatory process and the erosion and sediment process "fits" with this process. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

45. **CHILD SEAT SAFETY** (Tape 6)

Supervisor Hudgins said that the use of the child safety seats is the most effective way to help protect children from automobile injuries. Many low-income families cannot afford new child safety seats. They use old seats that have been handed down, recalled but not repaired, or involved in crashes. Most people do not think of car seat safety as a public health issue. Despite all the information provided to the public 30 percent of children ride in motor vehicles with no restraint at all and 80 percent of car seats are used improperly.

Supervisor Hudgins said that recently, a study, "Achieving a Credible Health and Safety Approach to Increasing Seat Belt Use Among African Americans," conducted by Meharry Medical College with the support of the National Highway Traffic Safety Administration, revealed some disturbing information concerning African Americans and seatbelt use. Motor vehicle crashes are the leading cause of death for African Americans between the ages of 0-14 and the second leading cause of death for African Americans between the ages of 15-24, only surpassed by homicides. Moreover, the minority population has a higher risk factor than other segments of the population.

Supervisor Hudgins said that based on these alarming statistics, a group of concerned citizens working in the Hunter Mill District formed a coalition, the Child Auto Safety Program Coalition (CASPC), to address this issue. The CASPC is comprised of representatives from law enforcement, health care, non-profit and early child development. The mission is to create programs and activities to increase awareness and educate the community about the problem of the high incidence of child death rate and injury due to unrestrained riding or improper use of child restraint devices. On September 8, 2001, the CASPC and the Reston District Police Station will kickoff an education and awareness program in the African American community on child safety seats at the YMCA in Reston from 10 a.m. until 2 p.m. Technicians will be available to check and provide car seats.

Therefore, Supervisor Hudgins moved that the Board direct staff to invite the CASPC to appear before the Board on September 10, 2001, to be recognized for their hard work in addressing this significant issue. Supervisor Bulova seconded the motion and it carried by unanimous vote.

46. **OVARIAN CANCER AWARENESS MONTH** (Tape 6)

Supervisor Hudgins said that ovarian cancer is a cancer that causes more deaths than any other cancer of the female reproductive system and this type of cancer is the fifth leading cause of new cancer cases. In women ages 35-74, ovarian cancer is the fourth leading cause of cancer related deaths in the US and is a serious and under-recognized threat to women's health across Fairfax County and the nation.

Supervisor Hudgins said that currently there is no screening for early detection and ovarian cancer is treatable only through early detection. Increased public awareness of this disease, its risk factors, and its subtle symptoms may save lives, as women across Fairfax County and their doctors learn to recognize the warning signs of ovarian cancer, which are often the only early indication of an illness.

Supervisor Hudgins moved that the Board:

- Declare September 2001 as *Ovarian Cancer Awareness Month* in Fairfax County.
- Direct staff to invite the Northern Virginia Division of the National Ovarian Cancer Coalition to appear before the Board to receive a Proclamation.

Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn being out of the room.

47. **CAR-SHARING TO PROMOTE TRANSIT** (Tape 6)

Supervisor Hudgins said an article in the *Fairfax Journal* describes a new program coming to the area that is intended to promote transit. The program is car-sharing and the program that promotes the use of transit while providing the convenience of allowing riders the option of renting a vehicle to get to areas that rail does not serve.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to provide additional information on the car-sharing program and examine the opportunity of grants from the Virginia Department of Rail and Public Transportation to help defray membership fees for car-sharing residents and businesses. Without objection, it was so ordered.

48. **CITIZEN AWARENESS REGARDING SCAMS** (Tape 6)

Supervisor Hudgins said that recently there has been an increase in the Northern Virginia area of scam artists targeting affluent neighborhoods and senior citizens.

Supervisor Hudgins moved that the Board direct staff to:

- Issue a Press Release raising the issue of the targeting of senior citizens and neighborhoods for scams.
- Work with the Police Department to circulate the appropriate information.

Following discussion, without objection, it was so ordered.

49. **PEDESTRIAN ACCESS** (Tape 6)

Supervisor Hudgins referred to the Transportation Safety Summit that was conducted earlier this year and she moved that the Board:

- Reaffirm its commitment to creating and maintaining an environment where pedestrian and non-motorized movements are fostered, facilitated, and supported and that this principle should be considered in all planning, zoning, budgeting, and financing actions.
- Direct the Department of Transportation and other appropriate agencies to review the Transportation Advisory Commission recommendations, determine which recommendations are most feasible, and to move towards implementation of the recommendations.

Supervisor McConnell seconded the motion and it carried by unanimous vote.

50. **ICE CREAM SOCIAL** (Tape 6)

Supervisor Hudgins announced that on July 24, 2001, there will be an ice cream social at the Cyber Cafe at the Teen Center to support the computer lab.

51. **NATIONAL NIGHT OUT** (Tape 6)

On behalf of Supervisor McConnell and herself, Supervisor Gross announced that Fairfax County residents will be participating in the eighteenth annual National Night Out on August 7, 2001. She noted that Mason District is home to the Court of Camelot, which has the longest serving neighborhood watch in the nation.

Supervisor Gross moved that the Board:

- Proclaim Tuesday, August 7, 2001, as *National Night Out in Fairfax County*.
- Direct staff to invite the Police Department and neighborhood watch groups to receive the proclamation at the Board meeting scheduled for August 6, 2001.

Supervisor Connolly seconded the motion and it carried by unanimous vote.

52. **REQUEST FOR CERTIFICATE OF RECOGNITION** (Tape 6)

(NOTE: Earlier in the meeting this item was discussed. See Clerk's Summary Item CL#15.)

Supervisor Gross asked unanimous consent that the Board direct staff to invite Jimmie D. Jenkins, Director, System Engineering and Monitoring Division, Department of Public Works and Environmental Services to appear before the Board to be recognized for his years of service upon his retirement. Without objection, it was so ordered.

NV:nv

53. **NO BOARD MATTERS FOR LEE DISTRICT SUPERVISOR DANA KAUFFMAN** (Tape 7)

Supervisor Kauffman announced that he had no Board Matters to present today.

54. **FUNDING FOR PARK WATCH** (Tape 7)

Supervisor Connolly stated that a number of years ago the County developed a program called Trail Safe that evolved into Park Safe and is now Park Watch. The program brings together citizens who are interested in contributing to enhanced safety in the trails and parks. The program is largely staffed by volunteers who report suspicious activity and unsafe conditions that require attention.

Supervisor Connolly moved that the Board direct:

- Staff to include the addition of \$3,000 for Park Watch on the list of Consideration Items for the Carryover Budget to allow the Park Watch volunteers to expand some of its activities.
- The Police Department staff, through the Crime Prevention Office, to assist in the recruitment and formation of Park Watch teams.

Chairman Hanley seconded the motion, which carried by unanimous vote.

55. **HOUSE JOINT RESOLUTION (HJR) COMMITTEE ACCOMPLISHES TRUE CHANGE IN TYSONS CORNER** (Tape 7)

Supervisor Connolly reminded the Board that in 1998 the General Assembly adopted HJR 276 that established a committee to assist the Secretary of Transportation in the development of options that might result in short-term improvements affecting the Tysons Corner area.

Noting that the committee made some substantial improvements to that area, Supervisor Connolly asked unanimous consent that the Board direct staff to invite Delegate Jim Scott and other representatives of the HJR 276 Committee to appear before the Board to be recognized for their achievements and honored for their work and dedication to making Tysons Corner a better place to work and live. Without objection, it was so ordered.

(NOTE: Later in the meeting, a report of the HJR 276 Committee was addressed. See Clerk's Summary Item CL#56.)

56. **SIGNAGE** (Tape 7)

(NOTE: Earlier in the meeting, the Board took action to honor the accomplishments of the House Joint Resolution (HJR) 276 Committee. See Clerk's Summary Item CL#55.)

Supervisor Connolly stated that one of the issues that the HJR 276 Committee addressed was the signage on buildings in the Tysons Corner area. There is no

uniform signage and it is difficult for motorists to determine the street address numbers.

With reference to the report to the HJR 276 Committees, copies of which were distributed to the Board, Supervisor Connolly moved that the Board direct the County Executive to direct staff to review the report and the current sign ordinance with the view of making any appropriate changes that would allow commercial entities to improve commuter and pedestrian access to their facilities. Supervisor Mendelsohn seconded the motion, which carried by unanimous vote.

Discussion ensued.

57. **REQUEST FOR INTERIM REPORT ON PERFORMING ARTS CENTER STUDY** (Tape 7)

With reference to previous requests from several Members of the Board, Supervisor Connolly asked unanimous consent that the Board direct staff to provide an interim report on September 10, 2001, on the status of the study on a performing arts center for the County.

58. **INTENT TO DEFER PUBLIC HEARINGS** (Tape 7)

Supervisor Hyland announced his intent to defer at the appropriate time later in the meeting the public hearing on Rezoning Application RZ 2000-MV-066 and Proffered Condition Amendment Application PCA 1996-MV-037-4. The Planning Commission has not completed its recommendations on the applications.

Supervisor Connolly announced his intent to defer at the appropriate time later in the meeting the public hearing on Conceptual Development Plan Amendment Application CDPA 87-P-109. The Planning Commission has not completed its recommendations on this application.

(NOTE: Later in the meeting, the Board formally deferred these public hearings. See Clerk's Summary Item CL#69.)

59. **RETIREMENT OF MR. ALLEN HOGGE** (Tape 7)

(NOTE: Earlier in the meeting the Board announced another retirement. See Clerk's Summary Item CL#15.)

Supervisor Hyland announced that Allen H. Hogge, Director, Wastewater Treatment Division, Department of Public Works and Environmental Services, plans to retire on August 31, 2001. Mr. Hogge managed the Lower Potomac Pollution Control Plant (now the Noman M. Cole, Jr. Plant) from 1983 through 1987, at which time he was promoted to Director. Therefore, Supervisor Hyland asked unanimous consent that the Board direct staff to invite Mr. Hogge to appear

before the Board to be recognized on August 6, 2001 (or other appropriate date) for his 26 years of outstanding service to Fairfax County. Without objection, it was so ordered.

60. **OUT-OF-TURN PLAN AMENDMENT** (Tape 7)

With reference to his written Board Matter regarding an Out-of-Turn Plan Amendment, Supervisor Hyland stated that this request concerns property located just south of the Pohick Church on the east side of Richmond Highway (Route One) in Lorton, Tax Map 108-1((1)) 27A and 27B and 108-3((1))16. The comprehensive plan language for this property presently recommends residential development at a density of four to five units per acre, with a proviso that any such residential development be restricted to "housing the elderly."

In recent months, a residential builder/developer has discussed with the Federation of Lorton Communities an option that would bring a non-age restricted community to Lorton. This proposal would also incorporate a new home for the Engleside Baptist Church (owners of a portion of the property herein discussed). The proposal to remove the age restriction has been reviewed by the community and has the support of the Federation of Lorton Communities.

Accordingly, Supervisor Hyland moved that the Board direct staff to initiate an Out-of-Turn Comprehensive Plan Amendment for the property described herein for the purpose of eliminating the requirement for exclusively age-restricted residential development. Supervisor McConnell seconded the motion, which carried by unanimous vote.

61. **LETTER REGARDING LORTON** (Tape 7)

Chairman Hanley made reference to a letter regarding Lorton that she received from the Chairman of the church council of Christ Church. She relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board refer this letter to the County Attorney for review. The letter requests the inclusion of areas for churches in the Master Plan. Without objection, the request was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

62. **ADULT SOFTBALL** (Tape 7)

Supervisor McConnell made reference to a letter to the Board from a member of the Adult Softball Council in which he requested office space. Chairman Hanley said that she had referred the letter to staff.

63. **RECESS/CLOSED SESSION** (Tape 7)

At 1:15 p.m., Supervisor Connolly moved that the Board recess and go into closed session for discussion and consideration of matters enumerated in Virginia Code Section 2.1-344 and listed in the agenda for this meeting as follows:

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.1-344(A)(1).
- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.1-344(A)(3).
- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.1-344(A)(7).
 - 1. *Board of Supervisors of Fairfax County, Virginia v. Board of Zoning Appeals of Fairfax County, Virginia, et al.*, At Law No. 188771 (Fx. Co. Cir. Ct.) (Dranesville District)
 - 2. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Juan Carlos Cadima and Wilby Sonia Cadima*, In Chancery No. 172041 (Fx. Co. Cir. Ct.) (Mason District)
 - 3. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Magdelene A. Baskin, Nancy S. Stone, Conservator for Magdelene A. Baskin, and Keith Matheny*, In Chancery No. 172270 (Fx. Co. Cir. Ct.) (Lee District)
 - 4. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Mary K.*

Toone, In Chancery No. 160681 (Fx.
Co. Cir. Ct.) (Dranesville District)

5. *Fairfax County Park Authority v.
George A. Fath, et al.*, At Law No.
196661 (Fx. Co. Cir. Ct.)
(Springfield District)

And in addition:

- Board of Zoning Appeal Application A 2001-MA-006, Vanguard Services, Unlimited
- Board of Supervisors, et al., versus Governors Run LP aka Governors Run, et al., At Law Number 190532
- Fairfax County Contract RQ 97-000117-16A
- John D. Fowler versus Fairfax County Police Officers Retirement System, Chancery Number 169977

Supervisor Hudgins seconded the motion, which carried by unanimous vote.

Chairman Hanley announced that the Board would convene closed session at 1:45 p.m.

At 4:40 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Hanley presiding.

ACTIONS FROM CLOSED SESSION

64. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS
DISCUSSED IN CLOSED SESSION** (Tape 8)

Supervisor Bulova moved that the Board certify that, to the best of its knowledge, only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion by which closed session was convened were heard, discussed, or considered by the Board during the closed session. Supervisor Connolly seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

65. **COMPROMISE AND SETTLEMENT AGREEMENT REGARDING CONTRACT NUMBER RQ 97-000117-16A** (Tape 8)

Supervisor Connolly moved that the Board authorize the County Executive to enter into a Compromise and Settlement Agreement regarding Contract Number RQ 97-000117-16A, upon the terms outlined in closed session, provided that the County Attorney approves the form of the letter of credit provided in accordance with that agreement. Supervisor Hyland seconded the motion, which carried by unanimous vote.

66. **APPEAL OF BOARD OF ZONING APPEALS (BZA) DECISION** (Tape 8)

Supervisor Gross moved that the Board join the Zoning Administrator in filing an appeal of the BZA's decision on the appeal by Paul and Jacquelyn Hartley, Donald and Wynelle Lewis, Victor and Dorine Blandburg, Richard and Kathryn Tubb, and Daniel and Janet Schuresko (Appeal Application A 2001-MA-006), according to the terms and conditions outlined by the County Attorney in closed session. Supervisor Connolly seconded the motion, which **CARRIED** by a recorded vote of eight, Supervisor Hyland and Supervisor Mendelsohn voting "NAY."

67. **MEADOWOOD FARM COVENANT** (Tape 8)

Supervisor Hyland moved that the Board:

- Enter into a Covenant and Agreement by and among Fairfax County, Virginia, Meadowood Farm Limited Liability Company, and Meadowood Farm Management Corporation in the form as distributed to the Board regarding Lots 4, 5, 7, 9, 11, 13, 14, 15, 18, 19, 20, 21, 22, 24, 25, 130, 135, 136, 137, 138, 139 and 140 of the Belmont Park Estates Subdivision.
- Authorize the County Executive to execute the Covenant and Agreement on behalf of the County and cause it to be recorded in the Land Records of Fairfax County, Virginia.

Supervisor Kauffman seconded the motion, which carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

(NOTE: Later in the meeting the Board took further action regarding Meadowood Farm. See Clerk's Summary Item CL#85.)

DMB:dmb

68. **3:30 P.M. – PH REGARDING THE LEASING OF COUNTY-OWNED PROPERTY AT THE CRIMINAL JUSTICE TRAINING CENTER TO APC REALTY AND EQUIPMENT COMPANY (SULLY DISTRICT)**
(Tape 8)

Supervisor Frey moved to indefinitely defer the public hearing regarding the leasing of County-Owned property at the Criminal Justice Training Center. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

69. **DEFERRAL OF PUBLIC HEARINGS** (Tape 8)

Supervisor Connolly moved to defer the public hearing on Conceptual Development Plan Amendment Application CDPA 87-P-109 until **August 6, 2001, at 3 p.m.** Chairman Hanley seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

Supervisor Hyland moved to defer the public hearing on the following applications until **September 10, 2001, at 3 p.m.:**

- Rezoning Application RZ 2000-MV-066
- Proffered Condition Amendment Application
PCA 1996-MV-037-4

Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

Supervisor Connolly moved to defer the public hearing on Out-of-Turn Plan Amendment S01-III-BR1 until **September 24, 2001, at 4 p.m.** This motion, the second to which was inaudible, carried by a vote of nine, Supervisor McConnell being out of the room.

Supervisor Mendelsohn moved to defer the public hearing on Proffered Condition Amendment Application PCA 90-D-058 until **August 6, 2001, at 3 p.m.** Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

70. **ORDERS OF THE DAY** (Tape 8)

Chairman Hanley announced that there would be a change in the Orders of the Day and that the Board would proceed with the 3:30 p.m. public hearing on proposed amendments to the Code of the County of Fairfax, Chapter 115 (Local Agricultural and Forestal District), Appendix F, Agricultural and Forestal District

Application AR 91-D-009 (Clive L. Duval, III And Daniel H. Duval) (Dranesville District) and Forestal District Application AF 01-H-001 (Hui Newcomb Family LLC) (Hunter Mill District).

71. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 115 (LOCAL AGRICULTURAL AND FORESTAL DISTRICT), APPENDIX F, AGRICULTURAL AND FORESTAL DISTRICT APPLICATION AF 01-H-001 (HUI NEWCOMB FAMILY LLC) (HUNTER MILL DISTRICT)** (No Tape)

(NOTE: Later in the meeting this public hearing was held. See Clerk's Summary Item CL#73).

72. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 115 (LOCAL AGRICULTURAL AND FORESTAL DISTRICT), APPENDIX F, AGRICULTURAL AND FORESTAL DISTRICT APPLICATION AR 91-D-009 (CLIVE L. DUVAL, III AND DANIEL H. DUVAL) (DRANESVILLE DISTRICT)** (Tape 8)

- (O) One application parcel is located on the south side of Leesburg Pike, approximately 600 feet west of Beulah Road; and the other parcel is located west of Beulah Road across from Bent Creek Lane, Tax Map 19-1 ((1)) 32; 19-1 ((3)) 1A, 3A; 19-3 ((1)) 42.

Mr. Clive L. Duval, III, reaffirmed the validity of the affidavit for the record.

Mr. Duval had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, Tracy Swagler, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Mendelsohn moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 115 (Local Agricultural and Forestal District), Appendix F, Agricultural and Forestal District Application AR 91-D-009, to renew the Salona Local Agricultural and Forestal District, subject to the proposed Ordinance provisions dated June 27, 2001. Supervisor Kauffman seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor McConnell being out of the room.

73. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 115 (LOCAL AGRICULTURAL AND FORESTAL DISTRICT), APPENDIX F, AGRICULTURAL AND FORESTAL DISTRICT APPLICATION AF 01-H-001 (HUI NEWCOMB FAMILY LLC) (HUNTER MILL DISTRICT)** (Tape 8)

- (O) The application property is located at the intersection of Dolley Madison Boulevard and Buchanan Street, Tax Map 30-2 ((1)) 40, 41, 46, 63, and 64.

Ms. Mariette H. Newcomb reaffirmed the validity of the affidavit for the record.

Ms. Newcomb had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Following the public hearing, Tracy Swagler, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Mendelsohn moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 115 (Local Agricultural and Forestal District), Appendix F, Agricultural and Forestal District Application AF 91-D-009, to establish the Potomac Vegetable Farm II Local Agricultural and Forestal District, subject to the proposed Ordinance provisions dated June 27, 2001. Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Kauffman and Supervisor McConnell being out of the room.

74. **3:30 P.M. – PH ON CONCEPTUAL DEVELOPMENT PLAN AMENDMENT APPLICATION CDPA 87-P-109 (DAVID N. TALTON) (PROVIDENCE DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting, this public hearing was formally deferred. See Clerk's Summary Item CL#69.)

75. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2000-MV-066 AND PROFFERED CONDITION AMENDMENT APPLICATION PCA 1996-MV-037-4 (SOUTH STATION LLC) (MOUNT VERNON DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting this public hearing was formally deferred. See Clerk's Summary Item CL#69).

76. **4 P.M. – PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S99-III-BR1 FOR THE AREA FRONTING ON LEE JACKSON MEMORIAL HIGHWAY (ROUTE 50) EAST OF CHANTILLY ROAD (SULLY DISTRICT)** (Tape 8)

A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of July 5 and July 12, 2001.

Following the public hearing, which included testimony by one speaker, Bruce M. Kriviskey, Policy and Plan Development Branch, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved to defer decision on the adoption of Out-of-Turn Plan Amendment S99-III-BR1, until **August 6, 2001, at 3 p.m.** The motion, the second to which was inaudible, carried by a vote of seven, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

77. **4 P.M. – PH ON OUT-OF-TURN PLAN AMENDMENT S00-CW-1CP FOR THE ENGINEER PROVING GROUND (LEE AND MOUNT VERNON DISTRICTS)** (Tapes 8-9)

A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of July 5 and July 12, 2001.

Following the public hearing, which included testimony by four speakers, Supervisor Kauffman moved approval of Out-of-Turn Plan Amendment S00 CW 1CP with editorial modifications as recommended by the Planning Commission on June 28, 2001. Supervisor Hyland seconded the motion.

Discussion ensued with input from Jaak Pedak, Transportation Planning Division, Department of Transportation, and Fred R. Seldon, Director, Department of Planning and Zoning. Supervisor McConnell asked to amend the motion to add that the plan not preclude rail for the future and this was accepted.

The question was called on the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Mendelsohn being out of the room.

78. **4 P.M. – PH ON OUT-OF-TURN PLAN AMENDMENT S01-III-BR1 ON LAND BAY A IN THE FAIR LAKES AREA (SPRINGFIELD DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting this public hearing was formally deferred. See Clerk's Summary Item CL#69.)

79. **4 P.M. – PH ON REZONING APPLICATION RZ 2000-SU-050 (THE RYLAND GROUP) [SPRINGFIELD (FORMERLY SULLY) DISTRICT]**
(Tape 9)

- (O) The application property is located on the south side of Lee Highway, approximately 1,000 feet east of Holly Avenue, Tax Map 56-1 ((1)) 42 and 43 and 56-2 ((1)) 68.

Mr. Keith C. Martin reaffirmed the validity of the affidavit for the record.

Mr. Martin had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, which included testimony by two speakers, Kris Abrahamson, Branch Chief, Zoning Evaluation Division, DPZ, presented the staff and Planning Commission recommendations.

Supervisor McConnell moved that the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2000-SU-050, be amended from the R-1 and WS Districts to the PDH-2 and WS Districts, subject to proffers dated June 29, 2001. Supervisor Frey seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Kauffman and Supervisor Mendelsohn being out of the room.

80. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES), ARTICLE 6 (DEFERRED COMPENSATION PLAN ORDINANCE)**
(Tape 9)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of July 5 and July 12, 2001.

Following the public hearing, Supervisor Gross moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), Article 6 (Deferred Compensation Plan Ordinance). Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Kauffman and Supervisor Mendelsohn being out of the room.

81. **4:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 90-D-058 (SUGARLAND ROAD DEVELOPMENT, LLC) (DRANESVILLE DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting this public hearing was formally deferred. See Clerk's Summary Item CL#69.)

82. **4:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 98-S-024 (TRUSTEES OF KNOLLWOOD BAPTIST CHURCH D/B/A/ KNOLLWOOD COMMUNITY CHURCH) (SPRINGFIELD DISTRICT)** (Tape 9)

The application property is located south of Ladues End Lane and west of the Fairfax County Parkway, Tax Map 67-4 ((14)) 17-22.

Ms. Lynne J. Strobel reaffirmed the validity of the affidavit for the record.

Ms. Strobel had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Following the public hearing, which included testimony by seven speakers, Kris Abrahamson, Branch Chief, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Following discussion, Supervisor McConnell moved **denial** of Special Exception Application SE 98-S-024. Supervisor Bulova seconded the motion and it carried by unanimous vote.

83. **4:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-Y-007 (QUARLES PETROLEUM, INCORPORATED) (SULLY DISTRICT)** (Tapes 9-10)

The application property is located on the north side of Willard Road, approximately 400 feet east of its intersection with Walney Road, Tax Map 44-2 ((8)) 33.

Mr. Mark G. Jenkins reaffirmed the validity of the affidavit for the record.

Mr. Jenkins had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, which included testimony by one speaker, Francis Burns, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved:

- Approval of Special Exception Application SE 01-Y-007, subject to the development conditions dated June 12, 2001.
- Modification of the integral design elements standard for the service station in favor of that shown on the GDP/SE plat and as conditioned.

Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

84. **4:30 P.M. – PH ON REZONING APPLICATION RZ 2001-PR-005 (CESC TYSONS DULLES PLAZA LLC) (PROVIDENCE DISTRICT)** (Tape 10)

- (O) The application property is located in the northwest quadrant of the intersection of Spring Hill Road and Tyco Road, Tax Map 29-1 ((1)) 67A, 67C, 68, and 69.

Ms. Inda E. Stagg reaffirmed the validity of the affidavit for the record.

Ms. Stagg had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Following the public hearing, Cathy Lewis, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Connolly moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2001-PR-005 from the C-1 and I-4 Districts to the C-4 District, subject to proffers dated July 20, 2001, with the first sentence of proffer number 3 revised to read "The applicant or its designee shall designate a TMP coordinator who may be a member of the building owner's management team as long as other duties do not interfere with those under the TMP."
- Modification of the transitional screening requirement along a portion of the south and east property lines in favor of the existing vegetation.

- Waiver of the barrier requirement along a portion of the south and east property lines.
- Waiver of the trail requirement along the Dulles Airport Access Road.

Supervisor Hyland seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Mendelsohn and Chairman Hanley voting "AYE," Supervisor Frey, Supervisor Kauffman, and Supervisor McConnell being out of the room.

85. **5 P.M. – PH ON THE PROPOSED EXCHANGE OF APPROXIMATELY 285 ACRES OF LAND NORTH AND EAST OF SILVERBROOK ROAD (A PART OF THE LORTON CORRECTIONAL COMPLEX) FOR APPROXIMATELY 806 ACRES OF LAND ON MASON'S NECK KNOWN AS THE MEADOWOOD FARM (MOUNT VERNON DISTRICT)**
(Tape 10)

(NOTE: Earlier in the meeting the Board took action relating to this land exchange. See Clerk's Summary Item CL#66.)

A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of July 12 and July 19, 2001.

Following the public hearing, which included testimony by 13 speakers, discussion ensued with input from Robert L. Howell, Deputy County Attorney.

Supervisor Hyland moved that the Board:

- Enter into agreements between Fairfax County, Virginia, and Pulte Home Corporation and the United States pursuant to which (i) the County will serve as an intermediary, at no cost to the County, in exchange of approximately 285 acres located north and east of Silverbrook Road known as Laurel Hill for approximately 806 acres located on Mason's Neck known as Meadowood Farm, resulting in title to the Laurel Hill property in the name of Pulte Home Corporation and title to the Meadowood Farm property in the name of the United States, and (ii) Pulte shall demolish and remove improvements on a portion of the Laurel Hill property designated as the school site, which school site property Pulte shall then convey to the County, all at no cost to the County.
- Authorize the County Executive to take such action and execute such documents as he shall deem appropriate for the purpose of

effectuating the exchange of property and conveyance of the school site to the County.

Chairman Hanley and Supervisor Bulova jointly seconded the motion and it carried by a vote of seven, Supervisor Kauffman, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

86. **5 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 76-M-112-2 (SEVEN OAKS II HOMEOWNERS ASSOCIATION) (MASON DISTRICT)** (Tapes 10-11)

The application property is located on the northwest side of Sleepy Hollow Road, approximately 150 feet north of Aspen Lane and south of Route 50, Tax Map 51-3 ((31)) (2) B, 5-18.

Mr. Robert E. Swinehart reaffirmed the validity of the affidavit for the record.

Mr. Swinehart had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, which included testimony by seven speakers, Tracy Swagler, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Gross moved:

- Approval of Proffered Condition Amendment Application PCA 76-M-112-2, subject to the execution of proffers dated July 20, 2001.
- Modification of the barrier requirement in favor of the existing brick wall as proffered.

Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Kauffman being out of the room.

87. **BOARD ADJOURNMENT** (Tape 11)

At 8:20 p.m., the Board adjourned.

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